

JOURNAL OF THE HOUSE

EIGHTY-EIGHTH SESSION

TWENTY-SEVENTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Thursday, February 21, 2013

The House convened at 2:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Pastor J. P. Mosley, Jr., followed by the Pledge of Allegiance led by House pages Lexy Antoine and Carlie Appletoft.

Roll Call: All members present except Rep. Heinert who was excused.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the twenty-sixth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Brian G. Gosch, Chair

Which motion prevailed.

HONORED GUESTS

Speaker Gosch introduced Natalie Prins, the 2012 South Dakota 4-H Rodeo Ambassador, from Sisseton, South Dakota.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on Health and Human Services respectfully reports that it has had under consideration SB 139, 168, and 181 and returns the same with the recommendation that said bills do pass.

Respectfully submitted,
Scott Munsterman, Chair

Also MR. SPEAKER:

The Committee on Agriculture and Natural Resources respectfully reports that it has had under consideration SB 17 and 205 and returns the same with the recommendation that said bills do pass.

Also MR. SPEAKER:

The Committee on Agriculture and Natural Resources respectfully reports that it has had under consideration SB 1 and returns the same with the recommendation that said bill be amended as follows:

1ja

On page 1, delete lines 8 and 9 of the printed bill, insert:

"to require the furnishing of a plugging and performance bond in the amount of ~~five~~ as follows:

(1) For wells at or less than fifty-five hundred feet in depth, an individual bond of ten thousand dollars per well drilled or a thirty thousand dollar blanket; or

(2) For wells more than fifty-five hundred feet in depth, an individual bond of fifty thousand dollars per well drilled, or ~~twenty~~ one hundred thousand dollars blanket,

with good and".

On page 2, after line 10, insert:

" Section 3. The bond requirements in section 1 of this Act do not apply to any wells permitted or drilled prior to July 1, 2013, unless the well is sold or transferred after July 1, 2013.".

And that as so amended said bill do pass.

Respectfully submitted,
Charles B. Hoffman, Chair

Also MR. SPEAKER:

The Committee on Transportation respectfully reports that it has had under consideration SB 42 which was tabled.

Respectfully submitted,
Mike Verchio, Chair

Also MR. SPEAKER:

The Committee on Local Government respectfully reports that it has had under consideration SB 166 and returns the same with the recommendation that said bill do pass.

Also MR. SPEAKER:

The Committee on Local Government respectfully reports that it has had under consideration SB 121 and returns the same with the recommendation that said bill do pass and be placed on the consent calendar.

Respectfully submitted,
Tim Rounds, Chair

MESSAGES FROM THE SENATE

MR. SPEAKER:

I have the honor to return herewith HB 1006, 1052, and 1157 which have passed the Senate without change.

1 Also MR. SPEAKER:

2 I have the honor to transmit herewith SB 15, 28, 51, 76, 130, 136, 154, 155, 159, 176, 180,
3 207, 229, 232, 233, 236, 237, and 238 which have passed the Senate and your favorable
4 consideration is respectfully requested.

5 Also MR. SPEAKER:

6 I have the honor to transmit herewith SCR 2 which has been adopted by the Senate and
7 your concurrence is respectfully requested.

8 Respectfully,
9 Jeannette Schipper, Secretary

10 **MOTIONS AND RESOLUTIONS**

11 SCR 2: A CONCURRENT RESOLUTION, Expressing support for civic education in the
12 public schools in South Dakota, and recognizing March 6, 2013, as Civic Education Day at the
13 State Capitol.

14 Was read the first time and the Speaker waived the committee referral.

15 Rep. Lust moved that when we adjourn today, we adjourn to convene at 12:30 p.m. on
16 Friday, February 22, the 28th legislative day.

17 Which motion prevailed.

18 **CONSIDERATION OF REPORTS OF COMMITTEES**

19 Rep. Lust moved that the reports of the Standing Committees on
20 Education on SB 80 as found on page 448 of the House Journal; also
21 State Affairs on SB 5 as found on page 449 of the House Journal; also
22 Judiciary on SB 39 as found on page 451 of the House Journal be adopted.
23 Which motion prevailed.

1 **FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS**

2 SB 15: FOR AN ACT ENTITLED, An Act to provide for expenditures for early learning
3 services from the special education fund.

4 Was read the first time and referred to the Committee on Education.

5 SB 28: FOR AN ACT ENTITLED, An Act to revise the property tax levies for the general
6 fund of a school district.

7 Was read the first time and referred to the Committee on Appropriations.

8 SB 44: FOR AN ACT ENTITLED, An Act to allow disqualification of commercial driver
9 licenses for violations of federal, state, or local texting bans while driving a commercial vehicle
10 to comply with federal regulations and requirements.

11 Was read the first time and referred to the Committee on Judiciary.

12 SB 51: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
13 application of the collection allowance credit for collecting the sales tax.

14 Was read the first time and referred to the Committee on Taxation.

15 SB 76: FOR AN ACT ENTITLED, An Act to appropriate money to fund the education
16 service agencies.

17 Was read the first time and referred to the Committee on Education.

18 SB 130: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning
19 absentee voting.

20 Was read the first time and referred to the Committee on Local Government.

21 SB 136: FOR AN ACT ENTITLED, An Act to revise the state aid to education formula
22 and to make an appropriation.

23 Was read the first time and referred to the Committee on State Affairs.

1 SB 142: FOR AN ACT ENTITLED, An Act to prohibit the use of certain handheld
2 electronic wireless devices for electronic messaging while driving and to prohibit conflicting
3 municipal regulations.

4 Was read the first time and referred to the Committee on Judiciary.

5 SB 143: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding tourist-
6 oriented directional signs.

7 Was read the first time and referred to the Committee on Transportation.

8 SB 154: FOR AN ACT ENTITLED, An Act to revise the maximum weight allowed on
9 certain wide-based super single tires.

10 Was read the first time and referred to the Committee on Transportation.

11 SB 155: FOR AN ACT ENTITLED, An Act to establish a local government road
12 improvement grant fund for the purpose of serving new agricultural facilities and to make an
13 appropriation therefor.

14 Was read the first time and referred to the Committee on Local Government.

15 SB 159: FOR AN ACT ENTITLED, An Act to revise the state aid to general education
16 formula by including an adjustment for students with limited English proficiency.

17 Was read the first time and referred to the Committee on Education.

18 SB 176: FOR AN ACT ENTITLED, An Act to appropriate money to the South Dakota
19 Board of Regents - Agricultural Experiment Station to implement a research investment
20 program.

21 Was read the first time and referred to the Committee on Appropriations.

22 SB 180: FOR AN ACT ENTITLED, An Act to amend certain provisions relating to the
23 publication of payroll information.

24 Was read the first time and referred to the Committee on Local Government.

25 SB 182: FOR AN ACT ENTITLED, An Act to enhance economic development.

26 Was read the first time and referred to the Committee on Judiciary.

1 SB 183: FOR AN ACT ENTITLED, An Act to revise provisions relating to hunting
2 trespass and to increase certain penalties for trespassing.

3 Was read the first time and referred to the Committee on Judiciary.

4 SB 195: FOR AN ACT ENTITLED, An Act to establish certain incentives for wind energy
5 facilities, to revise the amount that may be rebated for the gross receipts tax on electricity
6 produced on wind farms, to provide a penalty for filing a false affidavit, and to declare an
7 emergency.

8 Was read the first time and referred to the Committee on Commerce and Energy.

9 SB 207: FOR AN ACT ENTITLED, An Act to make certain legislative findings
10 concerning federal infringement on Second Amendment rights.

11 Was read the first time and referred to the Committee on State Affairs.

12 SB 229: FOR AN ACT ENTITLED, An Act to make an appropriation for the purpose of
13 providing funding for career and technical education.

14 Was read the first time and referred to the Committee on Appropriations.

15 SB 232: FOR AN ACT ENTITLED, An Act to limit political contributions by certain
16 political action committees.

17 Was read the first time and referred to the Committee on State Affairs.

18 SB 233: FOR AN ACT ENTITLED, An Act to create the critical teaching needs
19 scholarship program and to make an appropriation to the education enhancement trust fund to
20 provide for the annual funding of the scholarships.

21 Was read the first time and referred to the Committee on Education.

22 SB 235: FOR AN ACT ENTITLED, An Act to enhance economic development
23 opportunities for the state.

24 Was read the first time and referred to the Committee on State Affairs.

SB 236: FOR AN ACT ENTITLED, An Act to appropriate money to the Board of Regents to fund the expansion of information systems programs and cyber security programs at Dakota State University.

Was read the first time and referred to the Committee on Appropriations.

SB 237: FOR AN ACT ENTITLED, An Act to appropriate funds for deposit into the need-based grant fund, to provide for annual funding of the need-based grant fund with a portion of the funds received from the education enhancement trust fund, and to declare an emergency.

Was read the first time and referred to the Committee on Education.

SB 238: FOR AN ACT ENTITLED, An Act to appropriate money to the animal damage control fund for predator control services and to declare an emergency.

Was read the first time and referred to the Committee on Appropriations.

SECOND READING OF CONSENT CALENDAR ITEMS

SB 13: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the administration of mineral rights on and under research parks.

Was read the second time.

The question being "Shall SB 13 pass?"

And the roll being called:

Yeas 65, Nays 2, Excused 3, Absent 0

Yeas:

Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser; Kirschman; Kopp; Lust; Magstadt; May; Mickelson; Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

Nays:

Killer; Latterell

Excused:

Carson; Heinert; Romkema

1 So the bill having received an affirmative vote of a majority of the members-elect, the
2 Speaker declared the bill passed and the title was agreed to.

3 SB 32: FOR AN ACT ENTITLED, An Act to revise the provisions under which the
4 Bureau of Administration may enter into contracts for insurance and reinsurance.

5 Was read the second time.

6 The question being "Shall SB 32 pass?"

7 And the roll being called:

8 Yeas 65, Nays 2, Excused 3, Absent 0

9 Yeas:

10 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;
11 Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;
12 Hansen; Hawks; Hawley; Heinemann (Leslie); Hickey; Hoffman; Hunhoff (Bernie); Johns;
13 Kaiser; Kirschman; Kopp; Lust; Magstadt; May; Mickelson; Miller; Munsterman; Nelson;
14 Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;
15 Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele;
16 Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

17 Nays:

18 Killer; Latterell

19 Excused:

20 Carson; Heinert; Romkema

21 So the bill having received an affirmative vote of a majority of the members-elect, the
22 Speaker declared the bill passed and the title was agreed to.

23 SB 12: FOR AN ACT ENTITLED, An Act to update citations and revise certain provisions
24 regarding permits for energy facilities.

25 Was read the second time.

26 The question being "Shall SB 12 pass?"

27 And the roll being called:

28 Yeas 65, Nays 2, Excused 3, Absent 0

1 Yeas:

2 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;
3 Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;
4 Hansen; Hawks; Hawley; Heinemann (Leslie); Hickey; Hoffman; Hunhoff (Bernie); Johns;
5 Kaiser; Kirschman; Kopp; Lust; Magstadt; May; Mickelson; Miller; Munsterman; Nelson;
6 Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;
7 Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele;
8 Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

9 Nays:

10 Killer; Latterell

11 Excused:

12 Carson; Heinert; Romkema

13 So the bill having received an affirmative vote of a majority of the members-elect, the
14 Speaker declared the bill passed and the title was agreed to.

15 SB 67: FOR AN ACT ENTITLED, An Act to revise the requirements for health
16 maintenance organizations.

17 Was read the second time.

18 The question being "Shall SB 67 pass as amended?"

19 And the roll being called:

20 Yeas 65, Nays 2, Excused 3, Absent 0

21 Yeas:

22 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;
23 Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;
24 Hansen; Hawks; Hawley; Heinemann (Leslie); Hickey; Hoffman; Hunhoff (Bernie); Johns;
25 Kaiser; Kirschman; Kopp; Lust; Magstadt; May; Mickelson; Miller; Munsterman; Nelson;
26 Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;
27 Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele;
28 Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

29 Nays:

30 Killer; Latterell

31 Excused:

32 Carson; Heinert; Romkema

33 So the bill having received an affirmative vote of a majority of the members-elect, the
34 Speaker declared the bill passed and the title was agreed to.

1 SB 85: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
2 production incentive payment available to ethanol producers.

3 Was read the second time.

4 The question being "Shall SB 85 pass as amended?"

5 And the roll being called:

6 Yeas 65, Nays 2, Excused 3, Absent 0

7 Yeas:

8 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;
9 Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;
10 Hansen; Hawks; Hawley; Heinemann (Leslie); Hickey; Hoffman; Hunhoff (Bernie); Johns;
11 Kaiser; Kirschman; Kopp; Lust; Magstadt; May; Mickelson; Miller; Munsterman; Nelson;
12 Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;
13 Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele;
14 Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

15 Nays:

16 Killer; Latterell

17 Excused:

18 Carson; Heinert; Romkema

19 So the bill having received an affirmative vote of a majority of the members-elect, the
20 Speaker declared the bill passed and the title was agreed to.

21 SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

22 SB 52: FOR AN ACT ENTITLED, An Act to authorize one cent credit denominations for
23 video lottery machines, to authorize the award of one thousand dollars on a video lottery
24 machine, and to make form and style changes to certain provisions regarding the lottery.

25 Was read the second time.

26 Rep. Cronin moved the previous question.

27 Which motion prevailed.

28 The question being "Shall SB 52 pass?"

29 And the roll being called:

1 Yeas 39, Nays 28, Excused 3, Absent 0

2 Yeas:

3 Bartling; Bolin; Cammack; Conzet; Cronin; Dryden; Duvall; Gibson; Greenfield; Hajek;
4 Hawley; Heinemann (Leslie); Hoffman; Johns; Kaiser; Killer; Kirschman; Lust; Magstadt; May;
5 Mickelson; Munsterman; Novstrup (David); Olson (Betty); Parsley; Peterson; Qualm;
6 Rasmussen; Rounds; Rozum; Schaefer; Schoenfish; Solum; Stevens; Tulson; Werner; Westra;
7 Wink; Wismer

8 Nays:

9 Campbell; Craig; Ecklund; Erickson; Feickert; Feinstein; Haggar (Don); Haggar (Jenna);
10 Hansen; Hawks; Hickey; Hunhoff (Bernie); Kopp; Latterell; Miller; Nelson; Otten (Herman);
11 Ring; Russell; Schrempp; Sly; Soli; Stalzer; Steele; Tyler; Verchio; Wick; Speaker Gosch

12 Excused:

13 Carson; Heinert; Romkema

14 So the bill having received an affirmative vote of a majority of the members-elect, the
15 Speaker declared the bill passed and the title was agreed to.

16 SB 23: FOR AN ACT ENTITLED, An Act to revise certain provisions pertaining to the
17 Certification Board for Alcohol and Drug Professionals and to increase certain fees.

18 Was read the second time.

19 The question being "Shall SB 23 pass as amended?"

20 And the roll being called:

21 Yeas 57, Nays 10, Excused 3, Absent 0

22 Yeas:

23 Bartling; Bolin; Cammack; Campbell; Conzet; Cronin; Dryden; Duvall; Ecklund; Erickson;
24 Feickert; Feinstein; Gibson; Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Hickey;
25 Hoffman; Hunhoff (Bernie); Johns; Killer; Kirschman; Lust; Magstadt; May; Mickelson; Miller;
26 Munsterman; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm;
27 Rasmussen; Ring; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer;
28 Steele; Stevens; Tulson; Tyler; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

29 Nays:

30 Craig; Greenfield; Haggar (Don); Haggar (Jenna); Kaiser; Kopp; Latterell; Nelson; Russell;
31 Verchio

32 Excused:

33 Carson; Heinert; Romkema

1 So the bill having received an affirmative vote of a two-thirds majority of the members-
2 elect, the Speaker declared the bill passed and the title was agreed to.

3 SB 41: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
4 requirements for school bus inspection and to authorize the Highway Patrol to approve school
5 bus inspectors.

6 Was read the second time.

7 The question being "Shall SB 41 pass as amended?"

8 And the roll being called:

9 Yeas 66, Nays 1, Excused 3, Absent 0

10 Yeas:

11 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;
12 Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;
13 Hansen; Hawks; Hawley; Heinemann (Leslie); Hickey; Hoffman; Hunhoff (Bernie); Johns;
14 Kaiser; Killer; Kirschman; Kopp; Lust; Magstadt; May; Mickelson; Miller; Munsterman;
15 Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm;
16 Rasmussen; Ring; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum;
17 Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer;
18 Speaker Gosch

19 Nays:

20 Latterell

21 Excused:

22 Carson; Heinert; Romkema

23 So the bill having received an affirmative vote of a majority of the members-elect, the
24 Speaker declared the bill passed and the title was agreed to.

25 SB 45: FOR AN ACT ENTITLED, An Act to permit certain persons to renew an operator's
26 license, a motorcycle operator's license, or nondriver identification card without appearing in
27 person at a driver license exam site.

28 Was read the second time.

29 The question being "Shall SB 45 pass?"

30 And the roll being called:

31 Yeas 67, Nays 2, Excused 1, Absent 0

1 Yeas:

2 Bartling; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;
3 Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hansen;
4 Hawks; Hawley; Heinemann (Leslie); Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser;
5 Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller; Munsterman;
6 Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm;
7 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly;
8 Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink;
9 Wismer; Speaker Gosch

10 Nays:

11 Bolin; Hajek

12 Excused:

13 Heinert

14 So the bill having received an affirmative vote of a majority of the members-elect, the
15 Speaker declared the bill passed and the title was agreed to.

16 SB 72: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning
17 inspections of food service establishments by the Department of Health.

18 Was read the second time.

19 The question being "Shall SB 72 pass as amended?"

20 And the roll being called:

21 Yeas 68, Nays 1, Excused 1, Absent 0

22 Yeas:

23 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
24 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
25 Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Hickey; Hoffman; Hunhoff (Bernie);
26 Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller;
27 Munsterman; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm;
28 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly;
29 Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink;
30 Wismer; Speaker Gosch

31 Nays:

32 Nelson

33 Excused:

34 Heinert

1 So the bill having received an affirmative vote of a majority of the members-elect, the
2 Speaker declared the bill passed and the title was agreed to.

3 SB 18: FOR AN ACT ENTITLED, An Act to authorize the Department of Agriculture to
4 construct a 4-H exhibit hall in Huron and to make an appropriation therefor.

5 Was read the second time.

6 The question being "Shall SB 18 pass as amended?"

7 And the roll being called:

8 Yeas 69, Nays 0, Excused 1, Absent 0

9 Yeas:

10 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
11 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
12 Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Hickey; Hoffman; Hunhoff (Bernie);
13 Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller;
14 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
15 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
16 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
17 Wick; Wink; Wismer; Speaker Gosch

18 Excused:

19 Heinert

20 So the bill having received an affirmative vote of a two-thirds majority of the members-
21 elect, the Speaker declared the bill passed and the title was agreed to.

22 SB 19: FOR AN ACT ENTITLED, An Act to authorize the Department of Agriculture to
23 construct a housing unit in Huron, to make an appropriation therefor, and to declare an
24 emergency.

25 Was read the second time.

26 The question being "Shall SB 19 pass as amended?"

27 And the roll being called:

28 Yeas 64, Nays 5, Excused 1, Absent 0

1 Yeas:

2 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
3 Ecklund; Erickson; Feickert; Feinstein; Gibson; Haggar (Don); Haggar (Jenna); Hajek; Hansen;
4 Hawks; Hawley; Heinemann (Leslie); Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer;
5 Kirschman; Kopp; Latterell; Lust; Magstadt; Mickelson; Miller; Munsterman; Nelson; Novstrup
6 (David); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds;
7 Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson;
8 Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

9 Nays:

10 Greenfield; Kaiser; May; Olson (Betty); Russell

11 Excused:

12 Heinert

13 So the bill having received an affirmative vote of a two-thirds majority of the members-
14 elect, the Speaker declared the bill passed and the title was agreed to.

15 SB 27: FOR AN ACT ENTITLED, An Act to revise previous session laws related to the
16 design, construction, and equipping of a veterans home near Hot Springs, to make an
17 appropriation therefor, and to declare an emergency.

18 Was read the second time.

19 The question being "Shall SB 27 pass?"

20 And the roll being called:

21 Yeas 68, Nays 0, Excused 2, Absent 0

22 Yeas:

23 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
24 Ecklund; Erickson; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;
25 Hansen; Hawks; Hawley; Heinemann (Leslie); Hickey; Hoffman; Hunhoff (Bernie); Johns;
26 Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller;
27 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
28 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
29 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
30 Wick; Wink; Wismer; Speaker Gosch

31 Excused:

32 Feickert; Heinert

33 So the bill having received an affirmative vote of a two-thirds majority of the members-
34 elect, the Speaker declared the bill passed and the title was agreed to.

1 SB 78: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to medical
2 requirements for intrastate drivers transporting passengers and to update certain references to
3 federal statutes.

4 Was read the second time.

5 The question being "Shall SB 78 pass as amended?"

6 And the roll being called:

7 Yeas 66, Nays 3, Excused 1, Absent 0

8 Yeas:

9 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
10 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
11 Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Hickey; Hoffman; Hunhoff (Bernie);
12 Johns; Killer; Kirschman; Kopp; Lust; Magstadt; May; Mickelson; Miller; Munsterman;
13 Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm;
14 Rasmussen; Ring; Romkema; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli;
15 Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer;
16 Speaker Gosch

17 Nays:

18 Kaiser; Latterell; Russell

19 Excused:

20 Heinert

21 So the bill having received an affirmative vote of a majority of the members-elect, the
22 Speaker declared the bill passed and the title was agreed to.

23 Rep. Lust moved that the balance of the calendar including SB 86, 156, 68, 88, 145, 96,
24 22, 29, 30, 239, 69, 103, 118, 10, 11, 189, 190, 151, 158, 3, 4, 33, 35, and 36 be deferred to
25 Friday, February 22, the 28th legislative day.

26 Which motion prevailed.

27 There being no objection, the House reverted to Order of Business No. 5.

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COMMEMORATIONS

HC 1022 Introduced by: Representatives Cammack, Bartling, Bolin, Campbell, Carson, Craig, Cronin, Dryden, Duvall, Ecklund, Erickson, Feickert, Feinstein, Gibson, Gosch, Haggar (Don), Haggar (Jenna), Hajek, Hansen, Hawks, Hawley, Heinemann (Leslie), Heinert, Hickey, Hoffman, Hunhoff (Bernie), Johns, Killer, Kirschman, Kopp, Latterell, Lust, Magstadt, May, Mickelson, Miller, Munsterman, Nelson, Novstrup (David), Olson (Betty), Otten (Herman), Parsley, Peterson, Qualm, Rasmussen, Ring, Romkema, Rounds, Rozum, Russell, Schaefer, Schoenfish, Schrempp, Sly, Soli, Solum, Stalzer, Steele, Stevens, Tulson, Tyler, Verchio, Werner, Westra, Wick, Wink, and Wismer and Senators Rave, Adelstein, Begalka, Bradford, Brown, Buhl, Ewing, Frerichs, Heineman (Phyllis), Holien, Hunhoff (Jean), Johnston, Jones, Kirkeby, Lederman, Lucas, Maher, Monroe, Novstrup (Al), Olson (Russell), Omdahl, Otten (Ernie), Rampelberg, Rhoden, Soholt, Sutton, Tidemann, Tieszen, Vehle, Welke, and White

A LEGISLATIVE COMMEMORATION, Honoring the South Dakota Department of Agriculture for one hundred ten years of promoting, protecting, preserving, and improving South Dakota's agriculture for today and tomorrow.

WHEREAS, in 1903 the Department of Horticulture, Manufactories, and Domestic Arts was established; and

WHEREAS, Governor William H. McMaster appointed Frank M. Byrne as the first secretary of agriculture in 1921 and the Department of Marketing was established; and

WHEREAS, during his tenure Secretary Byrne worked tirelessly to create the South Dakota Department of Agriculture including the following divisions: Animal Industry Board, Markets, Game and Fish, and Statistics and Immigration Inspections; and

WHEREAS, over the years the department has been reevaluated and today consists of seven divisions including the Office of the Secretary, Division of Agricultural Policy, Division of Agricultural Development, Division of Agricultural Services, Division of Resource Conservation and Forestry, Division of Wildland Fire, and State Fair Park:

NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the State of South Dakota, that the Legislature honors, commends, and thanks agriculture - South Dakota's number one industry - for one hundred ten years of promoting, protecting, preserving, and improving South Dakota's agriculture for today and tomorrow.

Rep. Steele moved that the House do now adjourn, which motion prevailed and at 3:37 p.m. the House adjourned.

Arlene Kvislen, Chief Clerk